

MEETINGS TO DATE 7
NO. OF REGULARS 6
NO. OF SPECIALS 1

LANCASTER, NEW YORK
MARCH 25, 1984

A Regular Meeting of the Town Board of the Town of Lancaster,
Erie County, New York, was held at the Town Hall at Lancaster, New York on
the 25th day of March 1985, at 8:00 P.M. and there were

PRESENT: RONALD A. CZAPLA, COUNCILMAN
ROBERT H. GIZA, COUNCILMAN
DONALD E. KWAK, COUNCILMAN
JOHN T. MILLER, COUNCILMAN

ABSENT: STANLEY JAY KEYSA, SUPERVISOR

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK
DOMINIC J. TERRANOVA, TOWN ATTORNEY
RICHARD J. SHERWOOD, DEPUTY TOWN ATTORNEY
ROBERT LABENSKI, TOWN ENGINEER
ROBERT L. LANEY, BUILDING INSPECTOR

BID OPENINGS:

None

PUBLIC HEARINGS:

None:

OFFICIAL REPORTS:

None

COMMITTEE REPORTS:

None

PRESENTATION OF PREFILED RESOLUTIONS BY COUNCILMEN:

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

RESOLVED, that the minutes from the meetings of March 11, 1985,
as presented by the Town Clerk, be and hereby are approved.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA WAS ABSENT

The resolution was thereupon unanimously adopted.

March 25, 1985

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN MILLER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has heretofore advertised for sealed bids for the furnishing of a refuse dump site upon certain terms and conditions, and

WHEREAS, said bids were received on February 25, 1985 and have been reviewed by the Solid Waste Committee of the Town Board and the Highway Superintendent, all of whom have recommended that all of said bids be rejected for a substantial deviation from the specifications by reason of the fact that in some instances the bidders' refuse dump sites exceeded a distance of fifteen (15) miles from the Town Center and in one instance that the bid did not conform to the specification requiring a refuse dump site for the term of one year from date of award,

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That the Town Board of the Town of Lancaster hereby rejects all bids received for a refuse dump site on February 25, 1985, for substantial non-conformance with the specifications; and

2. That the Supervisor return all bid securities furnished with the bids for a refuse dump site.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	WAS	ABSENT

The resolution was thereupon unanimously adopted.

March 25, 1985

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER TO WIT:

WHEREAS, the Association of Towns of the State of New York, by letter dated March 8, 1985, has invited the Supervisor of the Town of Lancaster to attend a Congressional Breakfast in Washington, D.C. on March 26, 1985, and

WHEREAS, the Supervisor has requested authorization to attend said function,

NOW, THEREFORE, BE IT

RESOLVED, that STANLEY JAY KEYSA, Supervisor of the Town of Lancaster be and is hereby authorized to attend a Congressional Breakfast in Washington, D.C. on March 26, 1985, and

BE IT FURTHER

RESOLVED, that all ordinary and necessary expenses required for the attendance of the Supervisor at the Congressional Breakfast be and is hereby authorized.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA WAS ABSENT

The resolution was thereupon unanimously adopted.

March 25, 1985

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

WHEREAS, a vacancy exists on the Board of the Town of Lancaster
Recreation Commission due to the resignation of Gloria Gorenflo,

NOW, THEREFORE, BE IT

RESOLVED, that Wayne C. Robinson, 7 Woodlawn Avenue, Lancaster, New
York 14086, be and is hereby appointed a member of the Town of Lancaster
Recreation Commission for the period March 25, 1985 to December 31, 1986.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA WAS ABSENT

The resolution was thereupon unanimously adopted.

March 25, 1985

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN MILLER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, the cost of disposal of refuse and trash by the Town of
Lancaster may exceed the sum of \$5,000.00 in the year 1985, and

WHEREAS, pursuant to Section 103 of the General Municipal Law,
the Town Board is obligated to proceed to public bid for such disposal,

NOW, THEREFORE, BE IT

RESOLVED, that bids will be received by this Town Board on the
15th day of April 1985, at 8:15 P.M., Local Time, for the purpose of
furnishing a refuse dumping site in accordance with specifications on file
in the Town Clerk's Office, and

BE IT FURTHER,

RESOLVED, that the Town Clerk be and is hereby authorized to
place a Notice to Bidders in the Lancaster Bee and post notices thereof as
required by the Town Law of the State of New York, which Notice shall be
in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was
duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA WAS ABSENT

The resolution was thereupon unanimously adopted.

March 25, 1985

LEGAL NOTICE
NOTICE TO BIDDERS
FOR
FURNISHING OF
REFUSE DUMPING SITE
TOWN OF LANCASTER

SEALED BIDS will be received and publicly opened by the Town Board of the Town of Lancaster, at 8:15 P.M., Local Time, on the 15th day of April 1985, for furnishing of a refuse dumping site for the Town of Lancaster.

Specifications are on file with and may be obtained from the Town Clerk of the Town of Lancaster, 21 Central avenue, Lancaster, New York.

A Non-Collusive Bidding Certificate must accompany each bid.

The Board reserves the right to reject any or all bids and to waive any informalities.

TOWN BOARD OF THE
TOWN OF LANCASTER

BY: ROBERT P. THILL
Town Clerk

March 25, 1985

THE FOLLOWING RESOLUTION WAS OFFERED
 BY COUNCILMAN MILLER , WHO MOVED
 ITS ADOPTION, SECONDED BY COUNCILMAN
 GIZA , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby
 ordered paid from their respective accounts:

<u>ACCOUNT</u>	<u>ORDER NUMBER</u>	<u>TOTAL AMOUNT</u>
General Fund	No. 7664 to 7700 Incl. No. 1 to 15 Incl.	\$ 88,717.86
Part Town Fund	No. 1181 to 1189 Incl.	\$ 2,719.49
Highway Fund	No. 2845 to 2861 Incl.	\$126,932.10
Special District Fund	No. 806 to 809 Incl.	\$ 15,630.73
Trust & Agency Fund	No. 869 to 869 Incl.	\$ 21,923.98
Capital Fund	No. 744 to 745 Incl.	\$ 169.60
Improvement Facilities Sewer Dist. No. 2	No. 156 to 157 Incl.	\$ 27,067.00

The question of the adoption of the foregoing resolution was duly
 put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
 COUNCILMAN GIZA VOTED YES
 COUNCILMAN KWAK VOTED YES
 COUNCILMAN MILLER VOTED YES
 SUPERVISOR KEYSA WAS ABSENT

The resolution was thereupon unanimously adopted.

March 25, 1985

THE FOLLOWING RESOLUTION WAS OFFERED,
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

RESOLVED, that the following Building Permit Applications be and are
hereby approved and the Issuance of Building Permits be and are hereby
authorized:

<u>NO.</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>STRUCTURE</u>
10	Josela Enter.	19 Old Post Rd.	ER. FR. BRK. VEN. SIN. DWLG, PVT. GARAGE
11	Wm. Kornacki	6060 Genesee St.	ER. FR. CONCRETE BLK. STORAGE BLDG.
12	Red Roof Inns Inc.	146 Maple Dr. S.	ER. FR. STUCCO, CONCRETE BLK. MOTEL
13	Beauty Pools Inc.	10 Foxhunt Rd.	ER. POOL
14	Marrano/Marc Equity	38 Pheasant Run La.	ER. FR. BRK. VEN. SIN. DWLG, PVT. GARAGE
15	Marrano/Marc Equity	28 Tanglewood Dr.	ER. FR. BRK. VEN. SIN. SIN. DWLG, PVT. GARAGE
16	Josela Enter.	12 Squirrel Run	ER. FR. BRK. VEN. SIN.. DWLG, PVT. GARAGE
17	Jos. Wanemaker	5290 William St.	EXT. FR. PVT. GARAGE
18	Homes by Helenbrook	23 Steinfeldt Rd.	ER. FR. SIN. DWLG
19	Red Roof Interstate	Genesee St.	ER. FR. SIGN
20	Red Roof Interstate	Genesee St.	ER. FR. SIGN
21	Beauty Pools Inc.	36 Brunck Rd.	ER. POOL

The question of the adoption of the foregoing resolution was duly put
to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA WAS ABSENT

The resolution was thereupon unanimously adopted.

March 25, 1985

Councilman Kwak requested a suspension of the necessary rule for immediate consideration of the following resolution -
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

WHEREAS, the Director of Recreation of the Town of Lancaster, by letter dated March 18, 1985, has requested authority to purchase one (1) 1985 GMC Dump Truck, under New York State Office of General Services Group 40500, from Maier-Schule GMC, Inc., at a cost of \$15,731.00,

NOW, THEREFORE, BE IT

RESOLVED, that the Director of Recreation of the Town of Lancaster be and is hereby authorized to purchase, in accordance with his letter dated March 18, 1985, one (1) 1985 GMC Dump Truck, at a total cost of \$15,731.00.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA WAS ABSENT

The resolution was thereupon unanimously adopted.

March 25, 1985

STATUS REPORT ON UNFINISHED BUSINESS:

1. Dumping Permit - Philip Antonice III
On November 7, 1983, the Town Board requested the Planning Board to retain this item on their agenda for further input from the petitioner.
2. Public Improvement Permit Authorization - Countryview East Subdivision, Phase I (Marrano)
The retention pond has not yet been accepted but completion is secured by a Letter of Credit expiring on November 1, 1985.
3. Public Improvement Permit Authorization - Heritage Hills Subdivision
The Town Board is awaiting maintenance security for P.I.P. No. 65 (retention pond) prior to acceptance.
4. Public Improvement Permit Authorization - Lancaster Industrial Commerce Center
The Town Board authorized issuance of P.I.P.No. 77 (water main) and No. 78 (retention basin) on June 6, 1983.
5. Public Improvement Permit Authorization - Woodview Estates Subdivision
The Town Board authorized issuance of P.I.P. No. 57 (sidewalks) and No. 58 (street lighting) which have not yet been accepted by the Town Board. There is no retention pond associated with this subdivision.
6. Road Acceptance - Pasquale Drive
On August 1, 1984, the Town Attorney, by letter, notified the developer what steps must be taken to complete dedication of this road as a Town highway.
7. Traffic Study - Reconstruction, Genesee Street and Ransom Road
On September 10, 1984 the N.Y.S.D.O.T notified the Town Board that the Final Design Report on this project is complete and available.
8. Traffic Study - Signal, Bowen Road and William Street
On June 19, 1984, this matter was referred to the Police Chief for investigation and recommendation.
9. Traffic Study - Speed Reduction, Pavement Road
On February 6, 1984, this matter was referred to the Police Chief for investigation and recommendation.
10. Traffic Study - Speed Reduction, Ransom Rd. from Walden to Clarence Line
On November 7, 1983, this matter was referred to the Police Chief for investigation and recommendation.

PERSONS ADDRESSING THE TOWN BOARD:

None

COMMUNICATIONS:DISPOSITION

196. Town Clerk to County Highways Dep. Comm. - Request investigation into safety hazards on William St.	POLICE & PUBLIC SAFETY
197. Town Clerk to Town Board - Resume of actions taken in regards to Town Board meeting held 3/11/85.	R & F
198. Evans Town Clerk to Town Clerk - Transmittal of resolution favoring legislation giving tax credits to veterans.	SUPERVISOR
199. Weil Resources to Town Clerk - Notice of intent to commence drilling of Polish Nat'l Catholic Church property, Broadway, on 3/13/85.	R & F
200. Disaster Preparedness Coordinator to Supervisor - Transmittal of revised agenda for "Legal Issues in Emergency Management" seminar to be held 3/25/85 in Tonawanda.	SUPERVISOR BLDG. INSPT.
201. Depew-Lancaster Boys' Club to Town Board - Invitation to appear on 4th Annual Telethon to be held 3/23-24/85.	R & F
202. Supervisor to Town Board - Listing of line transfers to 1984 Budget.	R & F
203. Reserve Gas Co. to Supervisor - Transmittal of correspondence from N.Y.S. Public Service Commission pertaining to request for Non-Exclusive Franchise.	TOWN ATTORNEY
204. Supervisor to Secretary of State - Request status of eligibility to receive State aid for Hazardous Material Response Team's supplies.	SUPERVISOR BLDG. INSPT.
205. Assoc. of Towns to Supervisor - Invitation to attend Coalition for a Fair Federal Budget rally on 3/26/85 in Washington.	R & F
206. Assessor to Supervisor - Estimate of work load created by re-val project.	SUPERVISOR
207. Supervisor to Depew Village Mayor - Request approval for Depew Branch Library's fire alarm tie in to village's fire alarm system.	POLICE & PUBLIC SAFETY
208. George E. MacPeck to Supervisor - Notice of possible property damage as a result of sewer construction.	ENGINEERS
209. Governor to Supervisor - Request support for modification of Federal budget and tax proposals.	SUPERVISOR
210. U.S. Army Corps of Engineers to Town Clerk - Public Notice regarding ECSD No. 4's application for permit under Clean Water Act.	SUPERVISOR COUNCILMAN GIZA
211. Dep. Town Attorney to County Water Authority - Request inventory of map demonstrating location of hydrants under Accounts L-22 and L-22b.	TOWN ATTORNEY

COMMUNICATIONS CONT'D.:DISPOSITION

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| 212. Town Clerk to Allen M. Esposito -
Transmittal of resolution granting variance
petition. | R & F |
| 213. Lancaster Opera House Ex. Director to Town
Board -
Request Historian's Office be relocated to
Clark St. building. | SUPERVISOR |
| 214. Highway Supt. to Town Board -
Request publication of bid specs on 3/25/85
for refuse dump site to be bid on 4/15/85. | R & F |
| 215. <u>TOWN CLERKS TOPICS</u> , March 1985 Issue to Town
Clerk -
Article entitled "Using a Tape Recorder At a
Meeting." | R & F |
| 216. County Executive to Supervisor -
Notification of revised set of highway design
standards for County highway system. | SUPERVISOR
HWY. SUPT. |
| 217. Supervisor to Town Clerk -
Transmittal of Mined Land Use Plan for Pine
Hill Concrete Mix. Corp. S. Peppermint Site. | TOWN CLERK FOR MAP
TO BLDG. INSPT. |
| 218. Assoc. of Erie County Governments to
Supervisor -
Notice of meeting to be held 3/28/85 in
Orchard Park. | R & F |
| 219. Erie County Assoc. of Town Superintendents of
Highways to Town Board -
Comments regarding proposed Mutual Aid
Agreement. | SUPERVISOR |
| 220. NYSDOT to Supervisor -
"CHIPS Capital Project Description." | HWY. COMMITTEE
SUPERVISOR |
| 221. Ass't. Secretary of State for W.N.Y. to
Supervisor -
Notification that request for funding for
proposed Hazardous Material Response Team
has been forwarded to proper Albany divisions. | SUPERVISOR |
| 222. Preservation League to Supervisor -
Notice of "Architecture, the Public and
Preservation" conference to be held 5/17-19/85
in Cooperstown. | HISTORIAN |
| 223. State Comptroller's Office to Supervisor -
Transmittal of packet in connection with new
Services Tracking System. | SUPERVISOR |
| 224. Lancaster Historical Society to Town Board -
Request Clark St. building be designated
as Town of Lancaster Historical Museum. | SUPERVISOR |
| 225. Planning Board to Town Board -
Minutes from meeting held 3/6/85. | R & F |
| 226. Highway Supt. to Town Board -
Request bid opening on 4/8/85 for materials. | R & F |
| 227. Recreation Dir. to Town Board -
Transmittal of state bid price and request
to purchase dump truck. | TOWN CLERK FOR SUSPEND.
RESOLUTION |
| 228. Recreation Dir. to Town Board -
Price quotes and estimation for park repairs. | RECREATION COMMITTEE |

COMMUNICATIONS CONT'D.:DISPOSITION

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| 229. NYSDOT Traffic and Safety Division to Town Clerk -
Notice of Order establishing a 45 mph speed zone on part of Transit Rd. | R & F |
| 230. Town Attorney to Town Board -
Comments and recommendations concerning Reserve Gas Co. Non-Exclusive Franchise. | R & F |
| 231. County Dept. of Environment and Planning to Supervisor -
Transmittal of MBE/WBE Status Report for ECSD No. 4. | SUPERVISOR
ENGINEER |
| 232. Depew Village Clerk to Supervisor -
Notification of adopted resolution granting fire alarm tie in for Depew Branch Library. | R & F |
| 233. Jones Intercable to Town Board -
Notice of securement of Buffalo Sabres play-off rights for 1984-85 hockey season. | R & F |
| 234. Supervisor to Town Board -
Comments concerning 1985 Bond Issue. | R & F |
| 235. Supervisor to U.S. Dept. of Commerce, Economic Devel. Administration -
Transmittal of application for Lancaster Industrial Commerce Center. | R & F |
| 236. County Dept. of Environment and Planning to Supervisor -
Suggestion that complaint of George MacPeck concerning sewer project be submitted to contractor. | R & F |

The Supervisor requested immediate suspension of the necessary rule for consideration of the following communications -

SUSPENSION GRANTED.

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| 237. State of New York Public Service Commission to Supervisor -
Ruling on Hearing Schedule for Case 28992 | R & F |
| 238. Highway Supt. to Town Clerk -
Request withdrawal for Highway material Bid Opening. | R & F |

ADJOURNMENT:

ON MOTION OF COUNCILMAN CZAPLA, AND SECONDED BY THE ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 9:02 P.M. out of respect to:

PAUL KIHLE ✓

ROBERT ROZEK, JR. ✓

Signed

Robert P. Thill

Robert P. Thill, Town Clerk